

REMARKS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 43-48 remain pending. Claims 43, 45, 47, and 48 are amended by the present amendment. No new matter is added.¹

In the Office Action, Claims 43, 45, 47, and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,524,189 B1, herein “the ‘189 patent”) in view of Sagesaka et al. (U.S. Patent No. 5,619,361, herein “the ‘361 patent”); and Claims 44 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘189 patent in view of the ‘361 patent and Iemura (U.S. Patent No. 5,943,340, herein “the ‘340 patent”).

Claims 43, 45, 47, and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘189 patent in view of the ‘361 patent. In response to this rejection, Applicants respectfully submit that independent Claims 43, 45, 47, and 48 recite novel features not taught or rendered obvious by the applied references.

Independent Claim 43 recites, in part, a service system, including

the portable terminal including . . .

a second receiving section configured to receive,
from the external station, service information and guidance
information indicating another external station which is
different from the external station and is capable of acquiring
another service information which is different from the service
information when the portable terminal reaches an area of the
short distance wireless . . . and

¹ The amendment to Claims 43, 45, 47, and 48 may find support in the specification at page 7, line 27 to page 8, line 8.

a guiding section configured to guide the user to
said another external station on the basis of the guidance
information,

the external station including . . .

a third transmitting section configured to
transmit the guidance information for indicating said another
external station and the generated service information to the
portable terminal.

Applicants have amended Claim 43 to clarify that the third transmitting section is configured to transmit the guidance information for indicating the other external station to the portable terminal.

In a non-limiting example, when a portable terminal arrives at a first external station, the first external station transmits guidance information that indicates a different external station to the portable terminal.

An advantage of the claimed invention is that, with such a structure, a game player can enjoy a game while walking around town by going to a plurality of external stations. Thus, a user can be provided with game-like entertainment in acquiring service information by going to the plurality of such-presented external stations.² Thus, Applicants submit that the applied references do not disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in independent Claim 43.

Turning to the applied references, the '189 patent is directed to a multi-player game system using mobile phones that include game units.³ The '189 mobile phones are coupled through a base station⁴ and to each other.⁵ In the '189 patent, when a player enters a location,

² Specification, p. 8, l. 5-8.

³ Col. 1, l. 7-9; col. 4, l. 53-54.

⁴ Col. 4, l. 50-52.

the player's game unit displays ongoing games.⁶ Further to the '189 patent, a master game unit stores the addresses of all players in a current game.⁷

The Office Action, at the paragraph bridging pages 2 and 3, asserts that the '189 patent discloses "a second receiving section configured to receive, from the external station, . . . guidance information." However, the '189 patent merely discloses that the mobile phones receive messages during game selection. Applicants submit that the '189 patent is silent regarding whether the message is sent directly from another play's game unit or whether the message was sent to the player's game unit from the base station. It is respectfully submitted that the '189 patent does not disclose or suggest a second receiving section configured to receive, from the external station, guidance information, as recited in Claim 43.

Further, the Office Action apparently acknowledges that the '361 patent does not disclose or suggest a second receiving section configured to receive, from the external station, guidance information, as recited in Claim 43.

Thus, Applicants respectfully submit that the '189 patent and the '361 patent, taken alone or in combination, fail to disclose or suggest a second receiving section configured to receive, from the external station, guidance information, as recited in independent Claim 43.

Additionally, the Office Action concedes that the '189 patent fails to disclose or suggest "a guiding section configured to guide the user to said another external station on the basis of the guidance information," as recited in Claim 43. To remedy this deficiency, the Office Action relies on the '361 patent.

⁵ Col. 4, l. 58-60.

⁶ Col. 6, l. 16-18.

⁷ Col. 6, l. 40-45.

The '361 patent is directed to a technology for transmitting/receiving data between a control terminal and a controlled terminal via optical communications. According to the '361 patent, a base station transmits information sequentially at a predetermined time interval to a plurality of portable stations designated by member machine designating information.⁸ The '361 portable stations transmit information to the base station during the remainder of the predetermined time interval after the base station transmits.⁹ Further, the '361 portable stations transmit this information in response to transmissions from the base station designating the member machine designating information.¹⁰

That is, the cited portion of the '361 patent merely discloses the transmission of member machine designation information. Applicants submit that the cited portion of the '361 patent is silent regarding guidance information for *directing a user* to an external station. Thus, Applicants respectfully submit that the cited portion of the '361 patent does not disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in Claim 43.

Therefore, it is submitted that the '189 patent and the '361 patent, taken alone or in combination, fail to disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in independent Claim 43.

Further, the Office Action concedes that the '189 patent fails to disclose or suggest "a third transmitting [section] configured to transmit the guidance information and the generated service information to the portable terminal." Applicants respectfully submit that the '189

⁸ Col. 2, l. 29-34.

⁹ Col. 2, l. 34-38.

¹⁰ Col. 2, l. 34-40.

patent also fails to disclose or suggest a third transmitting section configured to transmit guidance information *for indicating another external station* to the portable terminal, as recited in amended Claim 43.

The Office Action relies on the '361 patent to provide a third transmitting section configured to transmit guidance information to a portable terminal. Applicants respectfully submit that the cited portion of the '361 patent fails to disclose or suggest a third transmitting section configured to transmit *guidance information for indicating another external station*, as recited in amended Claim 43.

Thus, Applicants respectfully submit that the '189 patent and the '361 patent, taken alone or in proper combination, fail to disclose or suggest a third transmitting section configured to transmit guidance information for indicating another external station, as recited in amended Claim 43.

Furthermore, Applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art to include a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in amended Claim 43. Should the Office wish to assert such a position, Applicants respectfully submit that the Office provide evidence that providing a user with game-like entertainment in acquiring service information by going to a plurality of external stations, would have been obvious. Thus, Applicants submit that it is not obvious from the teachings of the '189 patent and the '361 patent to include a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in independent Claim 43.

Therefore, Applicants respectfully submit that amended Claim 43 (and associated dependent Claim 44) patentably defines over any proper combination of the '189 patent and the '361 patent.

Moreover, should the Office wish to maintain the rejection of independent Claim 43, Applicants respectfully request that the next Office Action fully comply with M.P.E.P. § 2143.03. In particular, Applicants request that the Office fully consider that the second receiving section, the guiding section, and the third transmitting section each recite use of *the same guiding information*.

In view of the previous remarks, Applicants note that the Office Action conceded that the '189 patent fails to disclose or suggest "a guiding section configured to guide the user to said another external station on the basis of the guidance information." Applicants additionally submit that the cited portion of the '361 patent is silent with regard to guidance information for guiding a user to an external station. Thus, Applicants submit that the '189 patent and the '361 patent, taken alone or in combination, fail to disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information, as recited in Claim 45.

Applicants further submit that the '189 patent and the '361 patent, taken alone or in combination, fail to disclose or suggest the second receiving section and the third transmitting section recited in amended Claim 45.

It is therefore submitted that independent Claim 45 (and dependent Claim 46) patentably defines over any proper combination of the '189 patent and the '361 patent.

In light of the above comments, Applicants agree with the Office Action that the '189 patent fails to disclose or suggest "a guiding section configured to guide the user to said

another external station on the basis of the guidance information.” It is further submitted that the cited portion of the ‘361 patent is devoid of a reference to guidance information for directing a user to an external station. Thus, Applicants submit that the ‘189 patent and the ‘361 patent, taken alone or in combination, fail to disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information for indicating the another external station, as recited in amended Claim 47.

It is further submitted that the ‘189 patent and the ‘361 patent, taken alone or in combination, fail to disclose or suggest the second receiving section recited in Claim 47.

Applicants therefore submit that independent Claim 47 patentably defines over any proper combination of the ‘189 patent and the ‘361 patent.

As discussed previously, the Office Action noted that the ‘189 patent fails to disclose or suggest “a guiding section configured to guide the user to said another external station on the basis of the guidance information.” Applicants submit that the cited portion of the ‘361 patent is silent regarding guidance information for directing a user to an external station. Thus, Applicants submit that the ‘189 patent and the ‘361 patent, taken alone or in combination, fail to disclose or suggest a guiding section configured to guide a user to another external station on the basis of guidance information for indicating the another external station, as recited in amended Claim 48.

It is further submitted that the ‘189 patent and the ‘361 patent, taken alone or in combination, fail to disclose or suggest the second receiving section recited in Claim 48.


Applicants therefore submit that independent Claim 48 patentably defines over any proper combination of the ‘189 patent and the ‘361 patent.

Regarding the rejection of Claims 44 and 46 under 35 U.S.C. § 103(a) as being unpatentable over the '189 patent in view of the '361 patent and the '340 patent, Applicants respectfully submit that the '340 patent fails to remedy the above-noted deficiencies in the '189 patent and the '361 patent. Therefore, Applicants submit that the rejection of Claims 44 and 46 is moot.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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